

Mayor Ernie Wentrcek
Mayor Pro Tem Paul Madison

Councilmembers
Russell Bradley
Mark Conlee
Ben Hardeman
Joe Marín
Boyd Sheffield

AGENDA

**BRYAN CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 12, 2004 - 4:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

- 1. CALL TO ORDER (Room 305)**
- 2. EXECUTIVE SESSION** - The City Council has determined a necessity to go into a closed to the public session under the provisions of Section 551, Texas Government Code, and the following topics may be discussed: under the authority of Section 551.071, consultation with attorney - seek advice of legal counsel regarding the performance of contractual obligations for the Traditions project and pending litigation related thereto, seek advice of legal counsel regarding the Brazos Valley Groundwater Conservation District proposed rules; under the authority of Section 551.072, deliberation regarding real property – possible acquisition of property for Justice Center.
- 3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION, IF NECESSARY (COUNCIL CHAMBERS)**
- 4. INVOCATION (Approximately 6:00 p.m. – Pastor John Gantt, Hope Evangelical Free Church,) AND PLEDGE OF ALLEGIANCE**
- 5. PROCLAMATIONS AND PRESENTATIONS**
- 6. HEAR CITIZENS**
- 7. CONSENT (AUTOMATIC APPROVAL) AGENDA**

This agenda consists of ministerial or “housekeeping” items required by law. Items may be removed from the consent agenda by majority vote of the Council.

 - a. Approval of [Minutes](#)** – Special Meeting of September 24, 2004.
 - b. Consideration – [Funding for Arts Council of the Brazos Valley](#)** – Kathy Davidson

Consider authorizing the Mayor to sign an amendment to the contract with the Arts Council of Brazos Valley providing funding in the amount of \$30,822 for operational expenses for Fiscal Year 2005. Source of Funds: Hotel/Motel Tax Fund.

c. Consideration – [Funding for Brazos Animal Shelter](#) – Kathy Davidson

Consider authorizing the Mayor to sign a funding addendum to the contract for animal control services with the Brazos Animal Shelter providing funding in the amount of \$55,149 for the period of October 1, 2004, through December 31, 2004. Source of Funds: Solid Waste Fund.

d. Consideration – [Funding for Brazos County Public Health District](#) – Kathy Davidson

Consider authorizing the Mayor to sign a funding addendum to the contract with the Brazos County Public Health District providing funding in the amount of \$10,000 for Fiscal Year 2005. Source of Funds: General Fund.

e. Consideration – [Funding for Brazos Valley Convention and Visitor's Bureau](#) – Kathy Davidson

Consider authorizing the Mayor to sign a contract in the amount of \$100,000 with the Brazos Valley Convention and Visitor's Bureau for Fiscal Year 2005, in consideration for Brazos Valley Convention and Visitor's Bureau's promotion of tourism and the convention and hotel industry in Bryan. Source of Funds: Hotel/Motel Tax Fund.

f. Consideration – [Funding for Keep Brazos Beautiful, Inc.](#) – Kathy Davidson

Consider authorizing the Mayor to sign a contract with Keep Brazos Beautiful, Inc., providing funding in the amount of \$20,000 to support general operating expenses in Fiscal Year 2005; and \$25,000 to support the Community Enhancement Grant Program. Source of Funds: Solid Waste Fund G/L.

g. Consideration – [Funding for The Research Valley Partnership](#) – Kathy Davidson

Consider authorizing the Mayor to sign an agreement with the City of College Station and The Research Valley Partnership providing funding for Fiscal Year 2005, in the amount of \$293,287. Source of Funds: General Fund. ([Agreement](#))

h. Resolution – [Designating Authorized Signatories](#) – Kathy Davidson

Adoption of a resolution of the City Council of the City of Bryan, Texas, designating the authorized signatories for all City financial transactions with the authorized depository bank and any other instruments necessary in the transaction of the City's financial affairs.

i. Resolution – [Amending Authorized Representative for TexPool](#) – Kathy Davidson

Adoption of a resolution of the City Council amending authorized representatives for TexPool.

j. Second and Final Reading of an Ordinance – [Rezoning Request \(RZ 04-12\)](#) – Beth Wilson

Second and final reading of an ordinance of the City of Bryan, Texas, amending Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of 'SF-5' Single Family 5000 to 'R' Retail for approximately 5.0894 acres on the southern side of Boonville Road, 370 feet west of the Briarcrest Drive intersection, situated in the John Austin League, Block 18, Lots 18-22, Bryan, Brazos County, Texas.

k. Second and Final Reading of an Ordinance – Police and Fire Departments Classification – Melanie Caballero

Second and final reading of an ordinance of the City of Bryan, Texas, establishing classifications and number of positions for the Fire and Police Departments pursuant to Chapter 143 of the Texas Local Government Code; repealing Ordinance No. 1486, adopted by the City Council pertaining to classifications and positions in the Fire and Police Departments.

8. STATUTORY AGENDA

This agenda consists of items previously approved by Council action, such as adoption of items that are part of an approved budget or capital improvements project, first readings of ordinances, or action which is required by law or delegated to the City Manager. Items may be removed from the statutory agenda at the request of two Councilmembers.

a. Consideration – Extension of Federal Building Lease with Brazos County – Mark Hollas

Consider extending current lease with Brazos County for lease of 925 square feet in the Federal Building, at the current lease rate of \$.75 per square foot, or \$693.75 per month. The contract allows a one-year extension, to expire on September 30, 2005. Source of Funds: Revenues go into the General Fund.

b. First Reading of an Ordinance – Rezoning Request (RZ 04-06) – Beth Wilson

First reading of an ordinance of the City of Bryan, Texas, amending Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of 'SF-5' Single Family 5000 to 'R' Retail for approximately 6.1695 acres on the southern side of Boonville Road, just east of the Wildflower intersection, situated in the John Austin League, Block 18, Lots 14, 14.1, and 14.2, Bryan, Brazos County, Texas. (Public hearing held on September 28, 2004)

9. REGULAR AGENDA

This portion of the agenda consists of items requiring individual consideration by the Council.

a. Consideration – Termination of the Traditions Golf Course Multi-Party Agreement – John Blackburn

Consider authorizing the Mayor to execute a document terminating the Traditions Golf Course Multi-Party Agreement on behalf of the City of Bryan.

b. Consideration – Partial Release of the Traditions Club Facilities Multi-Party Agreement – John Blackburn

Consider authorizing the Mayor to execute a Partial Release of the Traditions Club Facilities Multi-Party Agreement on behalf of the City of Bryan to accommodate the transfer of .459 acre of land from Traditions Club by Melrose, LLC (Tract 1, Volume 5163, Page 1) to be used as residential development property in Phase VIII (Parcel 5).

c. **Consideration – [North Traditions Drive, Gabbard Road and Utilities Construction at Traditions – Contract 5B](#) – John Blackburn**

Consider approving Contract 5B with Fuqua Construction in an amount not to exceed \$1,986,522.30 for the construction of the approximate 4,763 feet extension of the Traditions loop road with utilities, subject to submittal of required bonds and insurance. Source of Funds: Certificates of Obligation, Series 2000A ([Bid Tabulation](#)) ([Contract](#))

d. **Consideration – [Amendment Number Three – Traditions Contract 5B – Construction Oversight](#) – John Blackburn**

Consider approving an amendment to the Engineering Professional Services contract in the amount of \$37,625 to Klotz Associates, Inc., for construction phase services for the Traditions Contract 5B – North Traditions Drive with utilities. Source of Funds: Certificates of Obligation, Series 2000A.

e. **Discussion and Consideration – [Sick Leave Incentive Policy](#) – Mayor Wentreck**

Discussion and consideration of the sick leave incentive policy regarding reimbursement for unused sick leave upon separation from employment for City employees.

10. COUNCIL COMMITTEE REPORTS

- City of Bryan/BISD Committee – Councilmember Russell Bradley
- Metropolitan Planning Organization Committee – Mayor Wentreck
- Animal Shelter Board of Directors Meeting– Mayor Wentreck

11. CITY MANAGER’S REPORT AND COUNCIL CONCERNS

Staff recognition, upcoming meetings and events, reports on attendance at meetings and events, future Council agenda items.

12. ADJOURN

FOR INFORMATION ON SIGN LANGUAGE INTERPRETATION, TDD OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT THE PUBLIC INFORMATION OFFICER AT 209-5120. PLEASE TRY TO CONTACT THE ABOVE PERSON AT LEAST 48 HOURS BEFORE THE SCHEDULED TIME OF THE MEETING SO THAT YOUR REQUEST MAY BE ACCOMMODATED.